IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE V.ESWARAIAH**

**WRIT PETITION NO : 19360 of 2004**

Between:

APSRTC rep., by its Managing Director, Musheerabad, Hyderabad.

**... PETITIONER**

AND

1 The State Transport Appellate Tribunal, Manoranjan Complex,
M.J.Road, Nampally, A.P.,Hyderabad-500 001 rep., by its Presiding Officer
2 Regional Transport Authority, East Godavari District
at Kakinada, rep., by its Secretary.
3 M.Ramakrishna, Bus Owner,
R/o Gollapunta Street, Mandapeta, East Godavari District.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, especially in the nature of writ, order or direction, especially in the nature of writ of certiorari calling for the records relating to the impugned order dt.12-7-2004 made in AP.338/03 on the file of the State Transport Appellate Tribunal, A.P., Hyderabad in setting aside the order dt.25-1-2003 in item No.3 in R.No.13277/A1/2002 and directing the 1st respondent to get the length of the route in question surveyed and if the length of the route is found to be 14 kms then issue permit to the 3rd respondent on the route Mandapeta town hall to Chemudulanka and quash the same as being hit by the provisions of Section 68(3)(ca) and 104 of M.V.Act, 1988 and pass

**Counsel for the Petitioner: MR.KALLAKURI SRINIVASARAO**

**Counsel for the Respondents: GP FOR TRANSPORT**

**The Court made the following order:**

**ORDER:**

Petitioner – APSRTC questions the order of the State Transport Appellate Tribunal, Hyderabad dated 12.06.2004 made in A.P.No.338 of 2003 in remitting the matter to the Regional Transport Authority, East Godavari District to get the length of the route in question i.e., Mandapeta town hall to Chemudulanka via Gummileru etc. surveyed and if the length of the route is found to be 14 Kms then issue permit on production of records as per the provisions of Motor Vehicle Act and Andhra Pradesh Motor Vehicle Rules to the third respondent herein.

As the APSRTC is an interested party and has a right to object the grant of any permit granted contrary to the schemes and provisions of the Motor Vehicles Act, the writ petition is disposed of directing the Regional Transport Authority, East Godavari District, to hear the APSRTC also before considering to issue or grant of permit in favour of the third respondent pursuant to the remittance of the matter by the State Transport Appellate Authority. No costs.

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V. ESWARAIAH, J

April 4, 2005

Dsk

To

1 The State Transport Appellate Tribunal, Manoranjan Complex,
M.J.Road, Nampally, A.P.,Hyderabad-500 001 rep., by its Presiding Officer
2 The Secretary, Regional Transport Authority, East Godavari District
at Kakinada.

3 Two CCs to GP For Transport, High Court Buildings, Hyderabad (OUT)

4 Two CD Copies.